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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/888,659	06/25/2001	Barry D. Kurtz	10003919	8952

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EXAMINER

ELISCA, PIERRE E

ART UNIT

PAPER NUMBER

3621

DATE MAILED: 05/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/888,659	KURTZ ET AL.
Examiner	Art Unit	
Pierre E. Elisca	3621	MW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 15 March 2004.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-25 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-25 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

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DETAILED ACTION

1. This Office action is in response to Applicant's amendment, filed on 3/15/2004.
2. Claims 1-25 are pending.
3. The rejection to claims 1-5 and 12-15 under 35 U.S.C. 102 (b) as being anticipate by Hower, Jr. et al (U.S. Pat. No. 5,467,434) and to claims 6-11 and 16-25 as being unpatentable over Hower, Jr. et al as set forth in the Office action mailed on 3/15/2004 is maintained.

Claim Rejections - 35 USC § 102 (b)

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 (b) that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-5, and 12-15 are rejected under 35 U.S.C. 102 (b) as being anticipated by Hower, Jr. et al. (U.S. Pat. No. 5,467,434).

As per claims 1, 12, and 13, Hower discloses a printing arrangement (fig 2) of the type having a printer bank with a plurality of printers which are respectively associated with

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printer profiles (which is readable as Applicant's claimed invention wherein said managing document distribution services) comprising the steps of:

registering the document distribution services (see., fig 2, col 4, lines 1-12 specifically wherein it is stated that an electronic job ticket, which job ticket 35 permits the user to program a print job for transmission to the server, please note that the job ticket is readable as the step of registering document, abstract);

identifying at least one resource for each of the document distribution services, including defining at least one attribute of the at least one resource (see., figs 1 and 2, col 4, lines 1-27, specifically job ticket 35 contains the programming parameters for the job such as quantity, plex, enlargement, reduction, stock, finishing, and electronic documents 39, which include the information that is ultimately printed on print media (printed on print media or identifying one resource), please note that parameters or attributes); and

monitoring an availability of the at least one resource for each of the document distribution services, including recording a status of the at least one attribute of the at least one resource (see., figs 1-5, col 4, lines 13-64, print queues or recording status).

As per claim 2, Hower discloses the claimed method wherein the step of registering the document distribution services includes registering at least one of print services,

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electronic mail services and publishing services (see., figs 1-5, col 4, lines 1064, print services).

As per claim 3, Hower discloses the claimed method wherein the step of registering the document distribution services includes registering the print services, and wherein the step of identifying at least one resource for each of the document distribution services includes identifying at least one printer which provides the print services (see., abstract, fig 2, col 4, lines 1-64).

As per claim 4, Hower discloses the claimed method wherein defining at least one attribute of the at least one resource includes defining at least one printer attribute of the at least one printer, and wherein recording the status of the at least one attribute of the at least one resource includes recording a status of the at least one printer attribute of the at least one printer (see., abstract, figs 1-5, col 3, lines 35-66, col 4, lines 1-64).

As per claim 14, Hower discloses a printing arrangement (fig 2) of the type having a printer bank with a plurality of printers which are respectively associated with printer profiles (which is readable as Applicant's claimed invention wherein said managing document distribution services) comprising the steps of:

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registering the document distribution services (see., fig 2, col 4, lines 1-12 specifically wherein it is stated that an electronic job ticket, which job ticket 35 permits the user to program a print job for transmission to the server, please note that the job ticket is readable as the step of registering document, abstract);

identifying at least one resource for each of the document distribution services, including defining at least one attribute of the at least one resource (see., figs 1 and 2, col 4, lines 1-27, specifically job ticket 35 contains the programming parameters for the job such as quantity, plex, enlargement, reduction, stock, finishing, and electronic documents 39, which include the information that is ultimately printed on print media (printed on print media or identifying one resource), please note that parameters or attributes); and

monitoring an availability of the at least one resource for each of the document distribution services, including recording a status of the at least one attribute of the at least one resource (see., figs 1-5, col 4, lines 13-64, print queues or recording status).

As per claim 15, Hower discloses a printing arrangement (fig 2) of the type having a printer bank with a plurality of printers which are respectively associated with printer profiles (which is readable as Applicant's claimed invention wherein a system for managing document distribution services) comprising the steps of:

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a document distribution system controller configured to have the document distribution services registered therewith (see., fig 2, col 4, lines 1-12 specifically wherein it is stated that an electronic job ticket, which job ticket 35 permits the user to program a print job for transmission to the server, please note that the job ticket is readable as the step of registering document, abstract);

an availability analysis associated with the document distribution system controller and adapted to monitor an availability of the document distribution services, wherein the availability analysis system is adapted to record a status of at least one attribute of at least one resource for each of the document distribution services (see., figs 1-5, col 4, lines 13-64, print queues or recording status).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 6-11, and 16-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hower, Jr. et al

As per claims 6-11, and 16-25 Hower discloses the claimed method of recording the status and registering the document distribution services (see., abstract, figs 1-5, col 4, lines 1-64). It is to be noted that Hower fails to explicitly disclose an electronic mail services. However, Hower discloses in fig 1 a network printing system or internet. This imply that an electronic mail services could be incorporated into the method of Hower. Accordingly, it is obvious to one of ordinary skill in the art at the time the invention was made to include an electronic mail services into the method of Hower since electronic mail is an object of the internet.

RESPONSE TO ARGUMENTS

8. Applicant's arguments filed on 3/15/2004 have been fully considered but they are not persuasive.

REMARKS

9. In response to Applicant's arguments, Applicant argues that the prior art of record (Hower, Jr. et al) taken alone or in combination fails to disclose the recited feature:

a. "managing document distribution services as claimed in claim 1". Based upon foregoing rejection indicated above, it is believed that Hower discloses this limitation col 4, lines 1-12 specifically wherein it is stated that an electronic job ticket, which job ticket 35 permits the user to program a print job for transmission to he server, please note that the job ticket is readable as the step of registering document.

b. "real-time status and historical status". However, the Examiner respectfully disagrees since Hower discloses an electronic document with a job ticket, which job ticket permits the user to program a print job for transmission to the server. Please note that most of the print job ticket also include a real time and historical status such as time, date and so.

Conclusion

10. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pierre E. Elisca whose telephone number is 703 305-3987. The examiner can normally be reached on 6:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 703 305-9769. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Pierre Eddy Elisca

Primary Patent Examiner

May 18, 2004